

# The Commonwealth of Massachusetts

MASS.  
DOCS.  
COLL.

## ANNUAL REPORT

OF THE

## COMMISSIONERS ON UNIFORM STATE LAWS

FOR THE

Year ending November 30, 1930



PUBLICATION OF THIS DOCUMENT APPROVED BY THE COMMISSION ON ADMINISTRATION AND FINANCE.

225. 12-'30. Order 647.

# THE COMMONWEALTH OF MASSACHUSETTS

## TWENTY-SECOND ANNUAL REPORT OF THE COMMISSIONERS ON UNIFORM STATE LAWS.

*To His Excellency the Governor and the Honorable Council of the Commonwealth of Massachusetts:—*

The Commissioners on Uniform State Laws during the year ending November 30, 1930, have been Hollis R. Bailey, Professor Joseph H. Beale and Joseph F. O'Connell. Professor Beale was appointed to take the place of Professor Samuel Williston who did not feel able to accept a re-appointment. A meeting of the Board was duly held in November 1929, and Hollis R. Bailey was again elected Chairman and Secretary.

### ENACTMENT OF UNIFORM LAWS

Last year the Commissioners recommended for enactment in Massachusetts only one piece of legislation, viz., the Uniform Criminal Extradition Act.

The first draft of this act was considered by the National Conference of Commissioners on Uniform State Laws in 1922. It was revised and again considered by the Conference in 1923, and later was still further considered and was finally approved in 1926 and recommended for adoption in all the states. The statutes and decisions of all the states were studied and also the decisions of the United States Supreme Court. This Uniform law has been adopted in at least six states, including the state of Maine.

There is no subject on which uniformity of law and practice is more to be desired than that of the extradition of persons charged with crime.

The enactment of this statute was recommended last year by the Governor of the Commonwealth in his Message to the Legislature.

The Act was also approved by the Attorney General. No one appeared before the Judiciary Committee to oppose the Act. The Judiciary Committee, nevertheless, recommended that the proposed law be referred to the Judicial Council in order that said Judicial Council might consider the act and report to the Legislature its conclusions and recommendations concerning the same in its next annual report. (See Resolves 1930, Chapter 6). Your Commissioners have appeared before said Judicial Council and have submitted to said Council considerable information concerning said proposed law. Your Commissioners are not informed as to what the recommendations of said Council will be. Inasmuch as the proposed uniform act of last year was referred to the next General Court, we are again recommending the enactment of said Uniform Criminal Extradition Act and are submitting with this report the same bill that was recommended last year.

### ANNUAL MEETING OF NATIONAL CONFERENCE

The fortieth annual meeting of the Conference of Commissioners on Uniform State Laws was held in Chicago, Illinois, during August, 1930.

Commissioner Joseph F. O'Connell was in attendance. Professor Beale was not able to go, and the same is true of the Chairman. Mr. O'Connell has given me the following account of what took place.

The new officers elected are as follows:—

Judge William M. Hargest, Harrisburg, Pa., President,

George B. Martin, Catlettsburg, Ky., Vice-President

John H. Voorhees, Sioux Falls, S. D., Secretary

Bruce W. Sanborn, St., Paul, Minn., Treasurer, and

Orie L. Phillips, Albuquerque, New Mexico, Chairman of the Executive Committee.

We had a very busy session which was largely attended. In fact, I think it was the largest attendance we have ever had.

The final action was taken on:—

1. The Child Labor Law.

2. Divorce Jurisdiction.

3. Firearms Act—In so far as it applied to pistols, revolvers and small arms, not to include machine guns and other weapons which are to come under a separate act.

4. Uniform Vehicle Act.

#### ACTS RECOMMENDED

1. The Commissioners this year again recommend for adoption in Massachusetts the Uniform Criminal Extradition Act.

We are convinced that this act is a very desirable piece of legislation and we hope it will be enacted.

2. The Commissioners also recommend the enactment in Massachusetts of the Uniform Divorce Jurisdiction Act. The chairman of the Commissioners in Massachusetts was the chairman of the committee of the Conference which drafted this divorce jurisdiction act. The Chairman had the assistance of a very able committee, including Professor Ernst Freund of the Chicago Law School, and Walter C. Clephane, Esq., of Washington, D. C. The act was considered for several years before it was finally approved. It clarifies the law of Massachusetts. It also adds a provision as to the effect of divorce granted in other states, which we believe will be found useful.

#### FINANCIAL STATEMENT

Amount of Appropriation ..... \$750.00

##### *Expenses*

Paid Bruce W. Sanborn, Treasurer of National Conference, contribution toward expenses ..... \$100.00

Paid For printing annual report ..... 15.00

Paid Joseph F. O'Connell for traveling and other expenses—

\$143.27 & \$193.55 ..... 336.82

\$451.82

Unexpended Balance ..... \$298.18

HOLLIS R. BAILEY, *Chairman*

JOSEPH H. BEALE

JOSEPH F. O'CONNELL

*Commissioners*